

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

APR - 9 2007

CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

MERRILL LYNCH, PIERCE, FENNER
AND SMITH, INCORPORATED, a
corporation organized and existing under
the laws of the State of Delaware with its
principal place of business in New York,
New York,

Plaintiff - Appellee,

v.

ENC CORPORATION; et al.,

Defendants,

and

ARELMA, INC., a corporation organized
and existing under the laws of Panama
with a permanent address at Ave. Justo
Alosemena y Calle 41 Este, No. 40-59 Pte
al Colegio Immaculada, Panama 1.Rep.de
Panama, and a mailing address at c/o
Suntrust Invenstment Co.S.A., ru de
Jargonnant 2, P.O. Box 76, 1211 Geneva
6, Switzerland

Defendant - Appellant,

MARIANO J. PIMENTAL, on behalf of
himself and all other persons similarly
situated,

Defendant - Appellee,

No. 04-16401

D.C. No. CV-00-00595-MLR

ORDER

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

APR 11 2007

at 11 o'clock and 18 min. PM
SUE BEITIA, CLERK

A TRUE COPY
CATHY A. CATTERSON
Clerk of Court
ATTEST

APR 09 2007

by

Deputy Clerk

PHILIPPINE NATIONAL BANK,

Defendant - Appellant.

MERRILL LYNCH, PIERCE, FENNER
AND SMITH, INCORPORATED, a
corporation organized and existing under
the laws of the State of Delaware with its
principal place of business in New York,
New York,

Plaintiff - Appellee,

v.

ENC CORPORATION; et al.,

Defendants,

and

MARIANO J. PIMENTAL, on behalf of
himself and all other persons similarly
situated,

Defendant - Appellee,

REPUBLIC OF THE PHILIPPINES; et
al.,

Defendants - Appellants.

No. 04-16503

D.C. No. CV-00-00595-MLR

ORDER

MERRILL LYNCH, PIERCE, FENNER
AND SMITH, INCORPORATED, a
corporation organized and existing under

No. 04-16538

D.C. No. CV-00-00595-MLR

the laws of the State of Delaware with its principal place of business in New York, New York,

Plaintiff - Appellee,

v.

ENC CORPORATION; et al.,

Defendants,

and

THE ESTATE OF ROGER ROXAS; et al.,

Defendants - Appellants,

MARIANO J. PIMENTAL, on behalf of himself and all other persons similarly situated,


Defendant - Appellee.

ORDER

The mandate issued March 23, 2007, was issued prematurely and is hereby recalled.

FOR THE COURT:

Cathy A. Catterson
Clerk of Court


By: Beverly Brown
Deputy Clerk